

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANDREA REX,

Plaintiff

v.

LSG SKY CHEFS, INC.

Defendant

CIVIL ACTION NO: 04-10568 WGY

**DEFENDANT'S ANSWERS TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES**

INTERROGATORY NO. 1

Please describe in detail everything that the defendant did relating to the purchasing of ingredients, preparing, packaging and providing of sandwiches for American Airlines flight 1878 on November 9, 2002, (hereafter "the flight"), including but not limited to:

- a) the types of sandwiches and their content;
- b) how, where and when the ingredients used to make the sandwiches, including meat products, cheese, bread and vegetables, were obtained;
- c) the manner in which the sandwiches were put together including by whom, where and when;
- d) how the sandwiches were wrapped and bagged, including the materials used, by whom, where and when;
- e) how, when, where and by whom the sandwiches were packaged;
- f) how, when, where and by whom the sandwiches were delivered to American Airlines.

ANSWER NO. 1

Objection. This request is overly broad and unduly burdensome. Subject to and without waiving this objection,

All items that are used in the sandwich production come from Michael Lewis. This includes the meat, bread, cheese, carroteenies, chips and cookies. The defendant receives five deliveries a week on these products. The only item the defendants receive frozen is the bread. All other items are fresh. The items are received from a refrigerated truck and placed in the produce cooler. The bread is taken out of the produce cooler at about 12 hours prior to sandwich assembly to the thaw area. All other items are pulled at around an hour before sandwich assembly and brought to the food production area. The food production area is a temperature-controlled environment which defendant keeps at 40 degrees.

The defendants have approximately six people a day make the sandwich from 20:00 to 4:30. The meat, cheese and bread are pre-sliced. The gloved employee takes the bread, opens it, places the slices of meat on, places the slice of cheese on and then puts the top on the bread. She then wraps the sandwich in paper and places a sticker on it to keep it closed. The wrapped sandwich is placed in a green tub. When the green tub is full it is moved to the bistro packing station for another employee to place it in a bistro bag along with the carroteenies, chips, mustard, silverware pack and cookie.

The Bistro bags are placed in blue bins and then moved to the holding cooler. The holding cooler is 35degrees. A driver comes to the holding cooler and places dry ice on top of the blue bins. He takes the blue bins on a strip cart to the truck. He drives 15 minutes to the field and delivers the blue bins to the Supp Room in the terminal. The supp room employee receives the blue bins and places them in a holding cooler located inside the Supp Room. The cooler is maintained at 37 degrees. About an hour before flight departure, the supp room employee takes the blue bins to the flight and places them in the bistro cooler that is located in the jet way. The passengers pick up their bag as they board.

In further answering, the defendant refers the plaintiff to documents produced in response to plaintiff's request for the production of documents.

INTERROGATORY NO. 2

Please describe all policies and procedures intended to avoid the risk of a foreign object being present in a sandwich that were in effect on November 9, 2003.

ANSWER NO. 2

Objection. This request is overly broad and unduly burdensome. Subject to and without waiving this objection, please see answer to Interrogatory No. 1 and the HACCP Manual produced by defendant in response to plaintiff's request for production of documents.

INTERROGATORY NO. 3

Please state the basis of the defendant's responses to paragraphs 26, 27 and 28 of the plaintiff's Complaint.

ANSWER NO. 3

Objection. This interrogatory seeks to shift the plaintiff's burden of proof to the defendant. Furthermore, this interrogatory seeks the conclusions of counsel.

INTERROGATORY NO. 4

For each type of meat product used for sandwiches that you provided for the flight, please describe everything that was done to any and all such meat products by you, including in your description all occasions when the meat products were unwrapped, and how, when, where and by whom the meat products were handled.

ANSWER NO. 4

Objection. This request is overly broad and unduly burdensome. Subject to and without waiving this objection, please see answer to Interrogatory No. 1 and the HACCP Manual produced by defendant in response to plaintiff's request for production of documents. In further answering, the meat comes fresh from Michael Lewis. The meat is received from a refrigerated truck and placed in the produce cooler. The meat is pulled at approximately an hour before sandwich assembly and brought to the food production area. The gloved employee places the slices of meat on the bread, places the slice of cheese on and then puts the top on the bread. She then wraps the sandwich in paper and places a sticker on it to keep it closed.

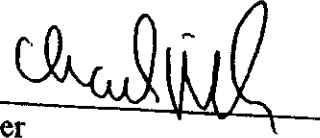
INTERROGATORY NO. 5

Please identify and describe all allegations that a foreign object was found in airline food that you provided at any time from 1998 to the present, including in your description the identification of the parties and/or their attorneys making any such allegations, when the alleged incident occurred, the alleged nature of the foreign object and where it was found, the nature of any alleged injuries, and whether you took any actions relating to consumer safety in response to any such allegations.

ANSWER NO. 5

Objection. This request is overly broad and unduly burdensome. Furthermore, it seeks information not designed to lead to the discovery of admissible evidence.

Signed under the pains and penalties of perjury this ____ day of December, 2004.



Charles Miller
LSG Sky Chefs, Inc.

As to Objections:



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